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Dan Thaxton

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EXAMINER

KAMAL, SHAHID

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/079,679	Applicant(s) THAXTON, DAN	
	Examiner SHAHID KAMAL	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/07/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgements

1. This Office Action is responsive to the amendment filed on December 7, 2009.
2. Claims 1-20 are remain pending and have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as anticipated by Rhoads (US Pub. No. 2002/0080996 A1) (“Rhoads”).

5. Referring to claim 1, Rhoads discloses the following:

- a) processing data relating to selected security features (feature/¶ 0065) of said document (document /¶ 0041) using a computer, said security features (feature/¶ 0065) each having associated compatibility and relative rating information (see abstract, ¶¶ 0004-0015, 0069);
- b) determining compatibility issues using the computer among said selected security features of said document (see abstract, ¶¶ 0004-0015, 0069);

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c) revising said selected security features (feature/¶ 0065) of said document (document /¶ 0041) using said computer to resolve any compatibility issues (see abstract, ¶¶ 0004-0035);

d) evaluating said relative rating information of said selected security features (feature/¶ 0065) using said computer to determine a document (document /¶ 0041) security rating of said document (document /¶ 0041) (see abstract, ¶¶ 0004-0015); and

e) presenting said document (document /¶ 0041) security rating of said document on a display of said computer (see abstract, ¶¶ 0004-0035).

6. Referring to claim 2, Rhoads further discloses presenting security features on a display of said computer for selection (see abstract, ¶¶ 0004-0015).

7. Referring to claim 3, Rhoads further discloses wherein said security features are presented categorized by purpose (see abstract, ¶¶ 0004-0015).

8. Referring to claim 4, Rhoads further discloses providing a selectable link for at least one said security feature, which when selected presents information which describes the associated security feature and explains strengths and weaknesses of the associated security feature (see abstract, ¶¶ 0004-0015).

9. Referring to claim 5, Rhoads further discloses recommending said security features based on security document type and desired security level (see abstract, ¶¶ 0004-0015, 0069).

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10. Referring to claim 6, Rhoads further discloses providing a link for at least one of said security document type, which when selected presents an example of the associated security document type (see abstract, ¶¶ 0004-0015).

11. Referring to claim 7, Rhoads further discloses wherein said example includes recommended security features and providing associated links which when selected explain each associated security feature (see abstract, ¶¶ 0004-0035).

12. Referring to claim 8, Rhoads further discloses a method of further comprising requesting document design information to help assess compatibility issues (see abstract, ¶¶ 0004-0015).

13. Referring to claim 9, Rhoads further discloses said document design information includes use of security document, type of document paper, storage requirements, and threat environment assessment, and type of document shipping (see abstract, ¶¶ 0004-0015).

14. Referring to claim 10, Rhoads further discloses certain said security features are made unselectable by said computer based upon said document design information (see abstract, ¶¶ 0004-0007).

15. Referring to claim 11, Rhoads further discloses wherein said document security rating includes a rating of how well said selected security features will protect the security document

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against different forms of attack and relative ease of authentication of the security document (see abstract, ¶¶ 0004-0015).

16. Referring to claim 12, Rhoads further discloses said different forms of attack include tampering, copying, counterfeiting, and accessing, and said rating is provided for each attack (see abstract, ¶¶ 0004-0035).

17. Referring to claim 13, Rhoads further discloses said authentication includes covert, and mechanical, and said rating is provided for each authentication type (see abstract, ¶¶ 0004-0035).

18. Referring to claim 14, Rhoads further discloses wherein revising said selected security features of said document using said computer to resolve any compatibility issues comprises the steps of providing a warning with said computer, and suggesting at least two possible solutions with said computer for resolving said compatibility issue (see abstract, ¶¶ 0004-0035).

19. Referring to claim 15, Rhoads further discloses viewing a relative cost assessment for selected feature (see abstract, ¶¶ 0004-0010).

20. Referring to claim 16, Rhoads further discloses presenting a link to common questions and concerns (see abstract, ¶¶ 0004-0013).

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21. Referring to claim 17, Rhoads further discloses said data relating to said selected security features is obtained from a database by said computer (see abstract, ¶¶ 0004-0035).

22. Referring to claim 18, Rhoads further discloses providing a protection disclaimer if said rating for at least one said attack type is deficient, and providing security feature suggestions that will provide the security document with adequate protection specified attack type area (see abstract, ¶¶ 0004-0009).

23. Referring to claim 19, Rhoads further discloses providing a protection disclaimer if said rating for at least one said authentication type is deficient, and providing security feature suggestions that will provide the security document with adequate protection and performance in the specified authentication type area (see abstract, ¶¶ 0004-0035).

24. Referring to claim 20, Rhoads discloses the following:

a) processing data relating to selected security features of said document, said security features each having associated compatibility and relative rating information (see abstract, ¶¶ 0004-0015);

b) determining compatibility issues using the computer among said selected security features of said document (see abstract, ¶¶ 0004-0015, 0069);

c) evaluating said relative rating information of said selected security features to determine a document security rating of said document (see abstract, ¶¶ 0004-0035); and

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d) presenting said document security rating of said document (see abstract, ¶¶ 0004-0035, 0069).

Response to Arguments

25. Applicant's arguments filed on December 7, 2009 have been fully considered but they are not persuasive.

26. As per claims 1-20, Applicant argues “Rhoads does not disclose processing data relating to selected security features of said document using a computer, said security features each having associated compatibility and relative rating information; determining compatibility issues using the computer among said selected security features of said document; revising said selected security features of said document using said computer to resolve any compatibility issues; evaluating said relative rating information of said selected security features using said computer to determine a document security rating of said document; and presenting said document (document ¶ 0041) security rating of said document on a display of said computer” (response pages 6-11).

27. Rhoads teaches processing data relating to selected security features of said document using a computer, said security features each having associated compatibility and relative rating information (see abstract, ¶¶ 0004-0015, 0069); determining compatibility issues using the computer among said selected security features of said document (see abstract, ¶¶ 0004-0015, 0069); revising said selected security features of said document using said computer to resolve any compatibility issues (see abstract, ¶¶ 0004-0035); evaluating said relative rating information of said selected security features using said computer to determine a document security rating of

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said document (see abstract, ¶¶ 0004-0015); and presenting said document (document /¶ 0041) security rating of said document on a display of said computer (see abstract, ¶¶ 0004-0035).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Kamal whose telephone number is (571) 270-3272. The examiner can normally be reached on MONDAY through THURSDAY between the hours of 8:30 AM and 7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for Regular/After Final Actions and 571-273-6714 for Non-Official/Draft.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK
02/21/2010

/EVENS J. AUGUSTIN/

Primary Examiner, Art Unit 3621